FEDERAL COMMUNICATIONS COMMISSION Washington, D. C. 20554

OFFICE OF MANAGING DIRECTOR

MAY 1 5 2003

Brian P. Spencer General Partner Spencer Broadcasting LP 2707 Judd Street SE Lacey, WA 98503

Brian Spencer General Partner Spencer Broadcasting LP 913 Martin Luther King Jr. Way Tacoma, WA 98405¹

> Re: Spencer Broadcasting LP Station KGHO(AM), Olympia, WA Request for Waivers of FY 2002 and FY 2001 Regulatory Fees Fee Control No. 0209248835223019

Dear Mr. Spencer:

This is in response to your letter dated September 13, 2002, filed on behalf of Spencer Broadcasting LP, licensee of Station KGHO(AM), Olympia, Washington, requesting a waiver or reduction of the fiscal year (FY) 2002 and FY 2001 regulatory fees. Our records reflect that Station KGHO(AM) did not pay the entire amount due for FY 2002 (i.e., \$1,575.00), but instead, paid \$950.00. Our records reflect that the station paid the \$875.00 regulatory fee for FY 2001.

We are mailing this letter to the Lacey, Washington address identified in your letter, as well as to the Tacoma, Washington address listed in our records for Station KGHO(AM). We also are faxing this letter to the number you identified in your letter as the station's telephone number (i.e., 360-491-9200) in the event that the number may be the station's fax number. In this regard, we note that this number is not in service as a telephone number. We also note that the (different) telephone number listed in our records for Station KGHO(AM) also is not in service as a telephone number.

With respect to the FY 2002 regulatory fee, you assert that Station KGHO(AM) is a Class D AM station and that the Commission erroneously classified it as a Class B AM station in connection with the Assessment and Collection of Regulatory Fees for Fiscal Year 2002, Report and Order, 17 FCC Rcd 16177 (2002) (2002 Regulatory Fee Report and Order). Our records support your assertion that Station KGHO(AM) is a Class D AM station (serving a population of 166,753) for purposes of FY 2002. We therefore find that the Commission erroneously listed Station KGHO(AM) as a Class B AM station in the list of radio stations referenced in Attachment J to the 2002 Regulatory Fee Report and Order. The FY 2002 regulatory fee for a Class D AM station serving a population of 125,001 to 400,000 is \$950.00. Accordingly, in light of the misclassification of Station KGHO(AM) in the 2002 list of AM and FM stations, we grant your request and reduce the FY 2002 regulatory fee for Station KGHO(AM) from \$1,575.00 to \$950.00.

You also request a waiver or reduction of the FY 2002 regulatory fee on the basis that KGHO(AM) operates as a noncommercial station and has "no source of broadcast revenue." Our records do not reflect that Station KGHO(AM) requested or received authority limited to noncommercial educational operations. If you believe, however, that you are entitled to an exemption from the FY 2002 regulatory fees as a noncommercial educational AM station under section 1.1162(e) of the Commission's rules, we request that you document Station KGHO(AM)'s eligibility for such exempt status by providing the Commission with a copy of the authorization limiting KGHO(AM) to noncommercial educational operations, a certification of its noncommercial educational status, or other information documenting such operation. In the absence of such documentation, we find that Station KGHO(AM) is not eligible for an exemption from the FY 2002 regulatory fees as a noncommercial educational broadcast station under section 1.1162(e) of the rules.

With respect to the FY 2001 regulatory fee, you state that KGHO(AM) was "off the air from June 15, 2000 to May 31, 2001, due to circumstances beyond your control[.]" Our records confirm that Station KGHO(AM) received special temporary authorization to remain silent during a portion of FY 2001. But this is not an "extraordinary and compelling circumstance" warranting a waiver of the FY 2001 regulatory fee for Station KGHO(AM), particularly since it appears that the station returned to the air after its authorization to remain silent expired and was operational at the time the fee was due. We therefore deny your request for waiver or reduction of the FY 2001 regulatory fee.

² See Implementation of Section 9 of the Communications Act, Assessment and Collection of Regulatory Fees for Fiscal Year 1994, Report and Order, 9 FCC Rcd 5333, para. 26 (1994).

³ See Implementation of Section 9 of the Communications Act, Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year, Report and Order, 9 FCC Rcd 5333, 5344 (1994), on recon., Memorandum Opinion and Order, 10 FCC Rcd 12,759, para. 12 (1995) (regulatory fees may be waived, deferred, or reduced on a case-by-case basis in

In summary, in light of the misclassification of Station KGHO(AM) in connection with the 2002 Regulatory Fee Report and Order, we grant your request to the extent of reducing the FY 2002 regulatory fee for Station KGHO(AM) from \$1,575.00 to \$950.00. Because Station KGHO(AM) submitted \$950.00 for FY 2002, no refund to Station KGHO(AM) is required. We also deny your request for waiver or reduction of the FY 2001 regulatory fee for Station KGHO(AM). If you have any questions concerning this matter, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,

Mark A. Reger

Chief Financial Officer

020924.8835223019

SPENCER BROADCASTING LP

2707 Judd Street SE, Lacey, WA 98503 360-491-9200

September 13, 2002

Office of the Managing Director Federal Communications Commission 445 12th Street SW, Room 1-A625 Washington, D.C. 20554

Subject:

Regulatory Fee Waiver/Reduction Request FY 2002 and FY2001 Media Services Annual Fees KGHO(AM) Olympia, WA

Dear Person(s):

Spencer Broadcasting LP is the licensee of radio station KGHO(920AM) Olympia. The current list of radio stations and fees assumed that KGHO is a Class B AM. It is our understanding that we are a Class D station. We are licensed for only 7-watts at night, a far cry from the minimum 250-watts of nighttime power that defines a Class B station, as I understand the rules.

Additionally, KGHO operates as a non-commercial station. We have filed our FY 2002 Annual Fee of \$950.00 for this Class D station, but request a waiver or reduction of that fee, as we are non-commercial and have no source of broadcast revenue.

In addition, KGHO was off the air from June 15, 2000, to May 31, 2001, due to circumstances beyond our control, and we request a waiver or reduction of the FY2001 Annual Fee of \$875.00, which we paid in a timely manner.

If you have any questions, please call me at 360-491-9200 between Noon and 8:00pm Eastern Time. Thank you.

Sincerely,

B.P. Form

Brian Spencer, General Partner SPENCER BROADCASTING

Payment Transactions Detail Report

BY: FEE CONTROL NUMBER

Date: 01/07/2003

\$950.00

Fee Control Payor Payer TIN Fcc Account Received Number Name Number Date 0209248835223019 SPENCER BROADCASTING LP WP00035248 0860804154 19/23/2002 00:00:00 2707 JUDD STREET SE LACEY WA 98503 Payment Callsign Other **Payment** Current Seq Type **Applicant** Applicant Zip Bad Detail Trans Payment Amount Balance Num Code ld Name Quantity Check Amount Code Type \$950.00 \$950.00 1 0238 1 **KGHO** SPENCER BROADCASTING LP 98503 \$960.00 1 **PMT** Total



FEDERAL COMMUNICATIONS COMMISSION 445 12th STREET, S W.

WASHINGTON, D.C. 20554

News media information 202/418-0500 Fax-On-Demand 202/418-2830 Internet: http://www.fcc.gov ftp fcc.gov

August 19, 2002

FY 2002 Media Services Regulatory Fees Clarification of AM Broadcast Radio Stations

CLASS B AND CLASS D AM BROADCAST RADIO STATIONS

The Federal Communications Commission prepares an annual list of AM and FM broadcast radio stations organized by call sign in connection with the <u>Assessment and Collection of Regulatory Fees, Report and Order (Report and Order)</u>. This list is referenced in Attachment J to the <u>Report and Order</u> and is available from the FCC's Public Reference Room, CY-A257, 445 12th St., S W., Washington, DC 20554. Information from the list is available by call sign through the FCC website, <u>www.FCC.gov</u>, or by calling the Consumer Information Center at (888) 225-5322.

In this year's list of AM and FM broadcast stations, a small number of AM stations that were previously classified as Class D were erroneously classified as Class B. If you are a licensee of a station listed as Class D last year and are presently listed in the Attachment J listing as a Class B station, and you have made no modifications to your station that would affect its class, you should pay the regulatory fee assessed for a Class D station.

- FCC-

FY 2002 AM and FM Radio Regulatory Fees

Call Sign	Service	City of License	State	Class	Pop. Served		Fee	Fee Code
KGGN	AM	Gladstone	MO	D	1,460,860	\$	2,625	0240
KGGO	FM	Des Moines	IA	С	584,106	\$	3,125	0251
KGGR	AM	Dallas	TX	D	3,452,010	\$	2,625	0240
KGHF	AM	Pueblo	co	В	146,573	\$	1,575	0226
KGHL	AM	Billings	MT	В	135,374	\$	1,575	0226
KGHL-FM	FM	Billings	MT	C1	129,722	\$	2,250	0250
KGHO	AM	Olympia	WA	В	166,753	\$	1,575	0226
		International Falls	MN	C	10,785	s	275	0229
KGHS	AM			В	595,026	Š	2,525	0227
KGHT	AM	Sheridan	AR			-		
KGIM	AM	Aberdeen	SD	В	35,067	\$	725	0224
KGIM-FM	FM	Redfield	SD	C1	38,125	\$	925	0248
	AM	Cape Girardeau	MO	В	49,379	\$	725	0224
KGIR		Alamosa	co	C	13,081	\$	275	0229
KGIW	AM				106,697	\$	975	0225
KGKL	ΙΑΜ	San Angelo	TX	В	100,097	1	910	UZZU

Tom Putnam

From:

Joanne Wall

Sent:

Wednesday, March 12, 2003 11:21 AM

To: Cc: Tom Putnam Allan Sacks

Subject:

fee no. 0209248835223019

Tom,

I've been trying to contact by phone Spencer Broadcasting LP (whose general partner is Brian Spencer) and have been unsuccessful. The telephone number listed on his request for relief (i.e., 360-491-9200) doesn't work and the yellow pages don't have a listing for KGHO or Spencer Broadcasting LP. (I want to request that he fax me a copy of his FCC authorization specifying noncommercial educational operation, the grounds upon which he requests relief.)

Do you have any ideas as to how I could find the telephone number? I think licensees are required to update their files under our rules. Thanks!

Joanne

Joanne F. Wall

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Audio Division

AM Query & AM List Results

(202)-418-2700

FCC > MB > Audio Division > AM Query

1 Ouery TV Ouery

FCC site map

AM Query and AM List results are derived from the public files at http://www.fcc.gov/mb/databases/cdbs Requested corrections to data should be referred to Kim Nguyen, kpnguyen@fcc gov. Comments on the updated AM Query and AM List may be referred to Dale Bickel, dbickel@fcc.gov.

This list is best printed in LANDSCAPE mode.

Use the TEXT SIZE input on the AM Ouery page to change the text size in the list below.

Click on the blue Call Sign or blue Facility ID Number to retrieve more detailed information from the AM Query, including access to the CDBS database records pertaining to that station.

Records for stations outside the USA are derived from international notifications.

The FCC does not keep records on the types of programming aired on radio broadcast stations.

Coordinates shown in the AM Ouery are NAD 27 coordinates.

KGHO AM 920 kHz ND2 Daytime KGHO AM 920 kHz ND2 Nighttime D B LIC OLYMPIA
D B LIC OLYMPIA

WA US WA US BL-20010517ABK BL-20010517ABK 3.0 0.007

*** 2 Records Retreived ***

Related Nonbroadcast Facilities: ULS Search

Using a broadcast station's facility ID number, you may search in the WTB's ULS database for nonbroadcast station records that are related to radio and TV broadcast stations, such as microwave facilities. Use the <u>ULS Radio Services List</u> to determine the nonbroadcast station's service. Not every AM, FM, or TV broadcast station will have related nonbroadcast operations.

Facility ID Number

Search UL

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Return to AM Query Data Entry screen

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Quick Links to Audio Division	ı In	formation					▼	Retrieve
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FCC Home | Search | Updates | E-Filing | Initiatives | For Consumers | Find People

Please send comments via standard mail to the Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street, S.W., Washington, D.C., 20554. Questions can also be answered by calling the FCC's National Call Center, toll free, at 1-888-Call FCC (1-888-225-5322)

Federal Communications Commission 445 12th Street SW Washington, DC 20554 More FCC Contact Information... Phone: 888-CALL-FCC (225-5322) TTY: 888-TELL-FCC (835-5322)

Fax: 202-418-0710 E-mail fccinfo@fcc.gov - Web Policies & Privacy Statement

- Required Browser Plug-ins - Customer Service Standards

- Freedom of Information Act





Call Sign KGHO is not available.

	Call Sign				Effective Date	Assigned To
47567	KGHO	AM	OLYMPIA	WA		SPENCER BROADCASTING, L.P.

Our records contain the following address(es) for above licensee(s):

CALL SIGN	KGHO .				
LICENSEE	SPENCER BROADCAST	ING. L.P.			
MAILING ADDRESS	2707 JUDD STREET SE				
CONTINUED ADDRESS					
CITY LACEY		STATE	WA	ZIP	98503-





Help | Home

Station Search	Details
Call Sign:	KGHO
Facility Id:	47567
Community of License:	OLYMPIA, WA
Service:	AM
Fac Type:	
Status:	LICENSED
Status Date:	05/08/2002
Frequency:	920
Channel:	
Digital Status:	
Lic Expir:	02/01/2006
Licensee:	SPENCER BROADCASTING, L.P
Address:	2707 JUDD STREET SE
Address 2:	
City:	LACEY
State:	WA
Zip Code:	98503
Call Sign History	View Call Sign History



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Audio Division

AM Query & AM List Results

(202)-418-2700

FCC > MB > Audio Division > AM Query

FM Ouery TV Ouery

FCC site map

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Next Record

KGHO

WA OLYMPIA

USA

Daytime

Licensee: SPENCER BROADCASTING, L.P.

920 kHz Licensed

Domestic Station Class: D Region 2 Station Class (corresponds to W. Hemisphere): B

Coordination Status: Canada: - Mexico: - Region 2: -

File No: BL-20010517ABK Facility ID No.: 47567

CDBS Application ID No.: 565785

47° 03' 44.00" N Latitude Power: 3.0 kilowatts (kW) Paytime

122° 49' 49.00" W Longitude (NAD 27)

ND2 - Non-directional Antenna: Different constants day and night

RMS Standard: 0.00 mV/m at 1 kilometer

RMS Theoretical: 352.40 mV/m at 1 kilometer

1 tower CDBS Ant. System ID: 73157

Tower information:

-No Top Loaded or Sectionalized Tower(s)-Antenna Structure Tower Field Phase Spacing Orientation Electrical Twr D Registration Number Height (deg) (#0) Ratio (deg) (degrees) Ref Α No. (deg) 1.000 0.00 154 80 0.00 0.00 0.00 1033406 0 00 0.000 0.00

Approximate Sunrise & Sunset Times => Pacific time zone

CDBS: Station Info This Application Mailing Address

Application List CDBS Search Page Ownership Info EEO

Maps: Region Map Area Map Local Map

Previous Record -- Next Record

KGHO WA OLYMPIA USA

Nighttime

Licensee: SPENCER BROADCASTING, L.P.

920 kHz Licensed

Domestic Station Class: D Region 2 Station Class (corresponds to W. Hemisphere): B

Coordination Status: Canada: - Mexico: - Region 2: -

File No: BL-20010517ABK Facility ID No.: 47567

CDBS Application ID No.: 565785

47° 03' 44.00" N Latitude Power: 0.007 kilowatts (kW) Nighttime

122° 49' 49.00" W Longitude (NAD 27)

ND2 - Non-directional Antenna: Different constants day and night

RMS Standard: 0.00 mV/m at 1 kilometer RMS Theoretical: 352.40 mV/m at 1 kilometer

1 tower CDBS Ant. System ID: 73158

Tower information:

-No Top Loaded or Sectionalized Tower(s)-Antenna Structure Tower Field Phase Spacing Orientation Electrical Twr Registration Number No Ratio (deg) (deg) (degrees) Height (deg) Ref. 1033406 1.000 0.00 0.00 0.00 154 80 0.00 0 00 0.00 0 00 1

Approximate Sunrise & Sunset Times => Pacific time zone

CDBS: Station Info This Application Mailing Address

Application List CDBS Search Page Ownership Info EEO

Maps: Region Map Area Map Local Map

First Record

*** 2 Records Retreived ***

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Facility ID Number Search ULS Clear

Return to AM Query Data Entry screen

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Fax: 202-418-0710 E-mail: fccinfo@fcc.gov

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- Required Browser Plug-ins
- Customer Service Standards
- Freedom of Information Act

Tom Putnam

From:

Joanne Wali

Sent:

Monday, March 17, 2003 3:12 PM

To:

Tom Putnam

Subject:

RE: Fee no. 0209248835223019

Thanks, Tom! And, no, I don't need the payment record.

Joanne F. Wall

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>>> Tom Putnam 03/17/03 03:14PM >>> Joanne,

The presence of a fee control number (which does not include the letters RROG) does not in & of itself imply that the entire regulatory (or filing) fee was paid; only that a fee was paid.

Please don't change this reference number.

As far as FY 2001 fees are concerned, I have researched & can verify that Spencer Broadcasting LP paid their regulatory fee in the amount of \$ 875.00 as their letter states. Let me know if you need to see the fee payment record.

Regards,

Tom Putnam Revenue & Receivables Operations Group Phone 202-418-2992 Fax 202-418-2843 *** Non-Public: For Internal Use Only ***

----Original Message----

From: Joanne Wall

Sent: Monday, March 17, 2003 10:28 AM

To: Tom Putnam

Subject: Fee no. 0209248835223019

Tom,

I just noticed that Attachment J to the 2002 Report and Order required that KGHO pay \$1,575 for the year. KGHO only paid \$950 for the year (as reflected in the Payment Transaction Report and as admitted by KGHO). The fee control number (listed above) suggests that KGHO paid the entire amount due (because the fee control number doesn't have "RROG" in it), when in fact it did not. Should the fee number be changed to include "RROG"?

Also, did Station KGHO(AM) pay its regulatory fee for FY 2001?

already confirmed that it paid for 2002.) Thanks!

Joanne

Joanne F. Wall

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Tom Putnam

From:

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Sent:

Monday, March 17, 2003 10:28 AM

To:

Tom Putnam

Subject:

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Joanne

Joanne F. Wall

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Close Window

Registration Details	
FRN:	0005013305
Registration Date:	09/18/2001 06:39:12 PM
Last Updated:	
Business Name:	Spencer Broadcasting LP
Business Type:	Private Sector, Partnership
Contact Organization:	Spencer Broadcasting LP
Contact Position:	
Contact Name:	Brian P. Spencer
Contact Address:	913 Martin Luther King Jr Way
	Tacoma, WASHINGTON 98405 United States
	CILLON STATES
Contact Results	(360) 49 1-92 0 0
Contact Phone:	
Contact Fex:	<u></u>

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Return to CORES Home

Matches 1-1 (of 1)				
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			United States	
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		REPINE SEARCH		

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- FCC Emergency Alert System
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 FCC International Bureau Application Filing and Reporting System
 FCC Media Bureau Consolidated Database System
- FCC Telecommunications Certification Bodies Electronic Filing Site
- FCC Universal Licensing System
 Other FCC Electronic Filing & Public Access Systems

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CORES Help Line: \$77-490-3201 (M	AND AND ASSESSMENT AND ASSESSMENT ASSESSMENT ASSESSMENT ASSESSMENT ASSESSMENT ASSESSMENT ASSESSMENT ASSESSMENT					
CORES has a dedicated staff of customer service representatives standing by to answer your questions or concerns.						
You can email us at CORESCORCE, gov.						

Tom Putnam

From:

Tom Putnam

Sent:

Wednesday, March 12, 2003 12:20 PM

To:

Joanne Wall

Subject:

RE: fee no. 0209248835223019

Joanne,

Sorry no luck on the media database. CORES has the same phone number.

I would suggest an email to the Medía Bureau requesting the information you are in search of. There are quite a few very knowedgeable & helpful staff there.

I have success with Marva Dyson; Dale Bickel & also Glenn Greisman/MB-AD/418-2772.

*** Non-Public: For Internal Use Only ***

----Original Message----

From: Joanne Wall

Sent: Wednesday, March 12, 2003 11:21 AM

To: Tom Putnam

Cc: Allan Sacks

Subject: fee no. 0209248835223019

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